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Maricopa County Attorney Allister Adel

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Deshawn Briggs, et al.,

Plaintiffs,

v.

Allister Adel, in her official capacity as
County Attorney of Maricopa County, et al.,

Defendants.

CV-18-02684-PHX-EJM

**STIPULATED MOTION TO
DISMISS WITH PREJUDICE ALL
CLAIMS AND ALL REQUESTS
FOR RELIEF ASSERTED AGAINST
COUNTY DEFENDANTS, WITH
THE SOLE AND EXCLUSIVE
EXCEPTION OF PLAINTIFFS'
REQUEST FOR ATTORNEYS'
FEES AND COSTS INCURRED
PRIOR TO MAY 9, 2020 IN
ASSERTING CLAIMS AND
REQUESTS FOR RELIEF AGAINST
COUNTY DEFENDANTS, ONLY**

1 To effectuate partial settlement, Plaintiffs Deshawn Briggs, Lucia Soria and Antonio
2 Pascale, as Personal Representative of the Estate of Mark Pascale, (“Plaintiffs”) and
3 Defendants Maricopa County and Maricopa County Attorney Allister Adel (“County
4 Defendants”) stipulate and jointly move for entry of this Court’s Order dismissing with
5 prejudice each and every claim and each and every request for relief asserted against County
6 Defendants in this case, including each and every claim and each and every request for relief
7 alleged by Plaintiffs individually and as putative class representatives on behalf of putative
8 classes and on behalf of themselves as putative class members, including requests for
9 attorneys’ fees and costs, with the sole and exclusive exception of Plaintiffs’ request for their
10 reasonable attorneys’ fees and costs incurred prior to May 9, 2020 in asserting claims and
11 requests for relief in this case against County Defendants, only.¹ Each side shall bear their
12 own attorneys’ fees and costs incurred in negotiating and documenting the partial settlement
13 and related dismissal filings.
14

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16
17 With respect to Plaintiffs’ sole and exclusive remaining request for relief against
18 County Defendants, *i.e.*, Plaintiffs’ request for reasonable attorneys’ fees and costs incurred
19 prior to May 9, 2020 in asserting claims and requests for relief in this case against County
20 Defendants, only, Plaintiffs and County Defendants are attempting to negotiate a potential out-
21 of-court settlement of such request. If such settlement efforts are unsuccessful, Plaintiffs and
22 County Defendants will submit such request for the Court’s determination pursuant to Rule
23
24

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26
27 ¹ This includes not to exceed a total of one-half (50%) of nonsegregable reasonable
28 attorneys’ fees and costs incurred in asserting claims and requests against both the County
Defendants and Defendant TASC.

54, Fed. R. Civ. P., LRCiv. 54.1 and LRCiv 54.2.² Plaintiffs and County Defendants respectfully request that the Court set deadlines for Plaintiffs and County Defendants to jointly file status reports regarding the status of settlement negotiations with respect to such request on November 13, 2020, November 20, 2020, and December 4, 2020. They also request that the Court set a briefing schedule for submitting such request for the Court's determination under Rule 54, Fed. R. Civ. P., LRCiv. 54.1 and LR Civ 54.2, if Plaintiffs and County Defendants have not made notification of reaching a settlement agreement with respect to such request on or before December 4, 2020.

RESPECTFULLY SUBMITTED this 27th day of October 2020.

ALLISTER ADEL
MARICOPA COUNTY ATTORNEY

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² Each side will bear their own attorneys' fees and costs incurred in settlement or litigation in relation to Plaintiffs' sole and exclusive remaining request for relief against County Defendants, *i.e.*, Plaintiffs' request for reasonable attorneys' fees and costs incurred prior to May 9, 2020 in asserting claims and requests for relief in this case against County Defendants, only.

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CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2020, I caused the foregoing document to be electronically transmitted to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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